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Massachusetts
Department of
Social Services

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Child
Protective Services

A Parent's Guide

Child Protective Services

Name of Social Worker

Name of Supervisor

Area Office/Partnership Agency

Telephone Number

The Department of Social Services was established under the laws of the Commonwealth of Massachusetts to protect children and to strengthen and support families. As part of its mandate, the Department is required to investigate reports of child abuse and child neglect.

Parenting is challenging and rewarding, but it is not always easy. When problems arise, it is often the children who are emotionally or physically affected. Unfortunately, some parents don't know where to turn to get help for their children or themselves.

This booklet was written to explain the role of the Department's social workers and other staff who work together to serve you and your family.

The Department recognizes that this can be a very difficult time for you and your family. Please remember that our goal is to ensure the safety and well-being of your child(ren).

What kind of services/help does the Department provide to families?

The Department of Social Services offers a variety of services. Your social worker will explain these and other specific services available in your community. They may include:

- Adoption and guardianship
- Case management
- Counseling and other therapeutic services
- Day care
- Domestic violence services
- Foster and residential care
- Emergency shelter for children and adolescents
- Family and adolescent mediation
- Family preservation services
- Information and referral services
- Parent aides services
- Services to pregnant and parenting adolescents
- Sexual abuse prevention/treatment services

Are there other state agencies or hotlines helping families in need?

In addition to the Department of Social Services, there are other organizations that can provide assistance to your family. Several are listed below. Your social worker will identify other groups in your community.

Parents Anonymous has a network of support groups for parents who are having difficult times. Please call 1-800-882-1250.

The Parental Stress Line is a 24-hour telephone service for parents and children who find themselves in stressful family situations. Please call 1-800-632-8188.

Why has a social worker from the Department come to my home?

A social worker has come to your home because the Department received a report that your child may have been abused or neglected, or may be at risk of being abused or neglected.

The report, also known as a "51A," is in response to a state law that requires professionals who have contact with children (doctors, nurses, teachers, police officers, child care workers, etc.) to inform the Department if they suspect that a child is being abused or neglected. These individuals must report suspected child abuse or neglect, or they can be fined. The law also allows other people (a relative, friend, neighbor, etc.) to file a 51A report if they suspect a child has been abused or neglected. The law requires the Department to investigate 51A reports. A social worker has come to your home as the first step in the investigation of a report.

When the social worker visits your home, you may wish to have someone present with you for the visit. At this visit we encourage you to discuss the allegations in the report.

Massachusetts state law requires that the investigation be finished within ten (10) days from the date of the report. (In an emergency situation, the investigation will be finished within twenty-four (24) hours). You will be notified by the Department, in writing, of the results of the investigation.

What if I don't want a social worker to investigate my family?

In most cases, the family and the social worker are able to work together during the investigation process. But there are some cases where the family will not or refuses to talk to the social worker. While it is your right to refuse to participate in the investigation, or to refuse to allow the social worker into your home, please understand that we came out of concern for your child and your family. If we believe that your child is in immediate danger of serious harm and the family will not meet with the social worker, the Department will seek help from the police or the courts to enter your home to see your child.

What happens during an investigation?

Once you are informed of the allegations, the social worker will begin to gather information and speak to members of your immediate family. The social worker will want to see all of the children in your home, and particularly the child on whose behalf the report was filed. The social worker may also want to speak to your pediatrician. You may also want to provide the social worker with the names of other people who know you (a school teacher, a member of the clergy, a neighbor, etc.). These interviews with your family and other significant people form the basis of the social worker's investigation.

Who filed the report and may I read it?

The Department cannot reveal the identity of the reporter. The social worker will be as specific as possible in relating the details of the reported allegations. Remember, the social worker has come to your home to ensure the safety and well-being of your child.

Once the social worker completes the investigation, you may request a copy of the 51A report as well as the investigation report known as 51B. Individual requests will be carefully considered on the basis of what is in the best interest of your family and child. The majority of requests are granted. If the information is made available to you, the identity of the reporter(s) will be withheld.

's Guide

Will my children be taken away?

In the vast majority of cases, NO. In fact, nearly all of the children served by the Department remain in their homes. Our goal is to help parents care for their children and to provide for the children's well-being. Unless your child is at risk of serious harm, we will provide services to help your family care for the child at home, thereby keeping the family together.

In a small number of cases, where the Department determines a child is at immediate risk of serious abuse or neglect, the Department will ask the court's permission to remove the child. Remember, if a child is removed from your home to ensure his or her well-being, our goal is to return the child as soon as possible. In very rare cases, the Department can remove the child without getting the court's permission. However, the Department must still go to court for approval the first court day following the child's removal. When we must remove a child from his or her home we may ask the parent(s) to identify family members or friends who could care for the child.

Does the Department file criminal charges?

No. The Department does not file criminal charges and does not have the authority to arrest. However, if we support a report of sexual abuse, serious injury or death of a child, the law requires the Department to notify the District Attorney who has the authority to file criminal charges.

What are my rights?

Your rights under the law include, but are not limited to the following:

- You have the right to have the investigation conducted in your preferred language.
- You have the right to speak with an attorney or to have one with you at any time. If the Department seeks help from the court, you should consult an attorney. If you are unable to pay for an attorney, the judge will appoint one for you.
- You have the right to be notified in writing of the Department's finding(s) whether your child has been abused or neglected.
- You have the right to ask and to have answered any questions you might have about the process, including the allegation(s) and the investigation(s).

What happens after an investigation?

If, based on information gathered during the investigation, there is no reason to believe that your child has been harmed or is at risk, the report is then "unsupported." "Unsupported" means the Department did not find reason to believe that your child has been abused or neglected. The Department will not have any further involvement with your family unless you voluntarily request our services. If the allegation of abuse or neglect is unsupported, your name, the name(s) of your child(ren), and any other identifying information will be removed from our records in one year, as required by law.

If, based on information gathered during the investigation, there is reason to believe that your child has been harmed or is at risk, the report is then "supported." "Supported" means the Department found reason to believe that your child was abused or neglected, and that your family may need services. If, during the course of the investigation, the person responsible for the abuse or neglect is identified, the social worker will include the information in the 51B investigation report. After the investigation is completed, if you and your family need services, the social worker will begin a "Family Assessment".

What is a Family Assessment?

A family assessment is an opportunity for you to work with a social worker to identify services that could be helpful for your family. The assessment will determine whether services are necessary, which services would be appropriate and who could best provide those services. This is an opportunity for you and your social worker to get to know each other in order to learn more about your family's particular needs and your family's strengths. You may suggest that others, such as a friend, a neighbor, or a member of the clergy, be included in the family assessment.

A family assessment must be completed within forty-five (45) working days. The social worker will encourage you to participate in the family assessment. If critical services are needed, they can be provided immediately.

After the assessment, a service plan is developed by your social worker with your participation. It will describe the services your family will receive. The plan may include tasks such as making and keeping medical appointments for your children, making sure your children get to school, to day care, or to family counseling, etc. It also includes timeframes in which we hope these tasks will be completed.

This brochure is
available in Spanish

Commonwealth of Massachusetts
Executive Office of Health and
Human Services
Department of Social Services